

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NORTH DAKOTA

In re:) Bankr. Case No. 16-30672
)
Vortex Drain Tiling LLC,) Chapter 7
)
Debtor.) NOTICE OF APPLICATION FOR
) APPROVAL OF EMPLOYMENT OF
) SPECIAL COUNSEL

The undersigned Trustee has filed and served an Application for Approval of Employment of Special Counsel, dated March 6, 2018. Your rights may be affected in the action. You should read the papers carefully and discuss the matters with your attorney if you have one. If you want the court to consider your views you should mail a written response to the action, within 14 days of the date of mailing of this document, and file the response with the Clerk of the Bankruptcy Court and a copy served upon the U.S. Trustee and the Bankruptcy Trustee.

Clerk, U.S. Bankruptcy Court
Quentin N. Burdick U.S. Courthouse
655 First Ave N, Ste 210
Fargo ND 58107-4932

U.S. Trustee
314 South Main Ave
Suite 303
Sioux Falls, SD 57104-6462

Trustee
(see address below)

DATED this 13th day of March, 2018.

/s/ Forrest C. Allred
Forrest C. Allred
Chapter 7 Trustee
14 Second Ave SE, Suite 200
Aberdeen, SD 57401
Telephone: (605) 225-3933
Fax: (605) 226-3371
forrest.allred@gmail.com

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NORTH DAKOTA

In re:)	Bankr. Case No. 16-30672
)	
Vortex Drain Tiling LLC,)	Chapter 7
)	
Debtor.)	APPLICATION FOR APPROVAL OF
)	EMPLOYMENT OF SPECIAL COUNSEL

1. Forrest C. Allred is the Trustee in this case.

2. Applicant believes employment of special counsel is necessary: The Debtor engaged in certain transactions possibly giving rise to Chapter 5 avoidance actions. There also appear to be possible collection matters which will need to be pursued.

3. Matthew R. Burton, and Leonard, O'Brian, Spencer, Gale & Sayre, Ltd, 100 South Fifth Street, Suite 2500, Minneapolis, MN 55402, are qualified by reason of practice and experience to render such representation to the Trustee.

4. Proposed compensation is \$400.00 per hour, plus expenses, subject to Court approval.

5. Said professional has disclosed to the undersigned that he has the following connections with the Debtor(s), creditors, any other party-in-interest, their respective attorneys and accountants, the United States Trustee or any person employed in the Office of the United States Trustee: McM, Inc., is in bankruptcy in case number 17-30061. McM has an interest adverse to this estate, in that the debtor herein, Vortex Drain Tiling, Inc., is a party to an executory contract with McM, Inc., to-wit, a land installment contract. Attorney Burton is counsel for the trustee in the McM, Inc., matter, and is also counsel to the trustee in another matter related to the McM, Inc., matter, that being case number 17-30558, Ronald G. McMartin, Jr. There will be no conflict of interest by any of the services provided in this case. The undersigned Trustee and Attorney Burton have agreed that Attorney Burton's representation of the Trustee herein will not extend to any matters involving either the McM, Inc., matter, or the Ronald G. McMartin, Jr., matter.

WHEREFORE, applicant prays that the court approve such employment by the Trustee in accordance with the terms hereinabove set forth.

DATED this 6th day of March, 2018.

/s/ Forrest C. Allred
Forrest C. Allred

Chapter 7 Trustee
14 Second Ave SE, Suite 200
Aberdeen, SD 57401
Telephone: (605) 225-3933
Fax: (605) 226-3371
forrest.allred@gmail.com

VERIFICATION

I, Matthew R. Burton, the proposed professional named in the foregoing application, declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information and belief.

DATED this 6th day of March, 2018.

/s/ Matthew R. Burton
Matthew R. Burton, #210018 (MN)
Leonard, O'Brian, Spencer, Gale & Sayre, Ltd
100 South Fifth Street, Suite 2500\
Minneapolis, MN 55402
612-232-1030
mburton@losgs.com

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NORTH DAKOTA

In re:) Bankr. Case No. 16-30672
)
Vortex Drain Tiling LLC,) Chapter 7
)
Debtor.) CERTIFICATE OF SERVICE
)
)

I declare under penalty of perjury that on March 13, 2018, I served the “*Notice of Application and Application for Approval of Employment of Special Counsel*” via First Class Mail, postage pre-paid to the parties listed below and that a true copy of the document was served electronically by Notice of Electronic Filing upon all parties who have requested service in this case by filing the same via ECF with the Bankruptcy Court in the District of North Dakota which automatically causes a notification of the filing to be sent to all ECF participants of record in this matter, and this constitutes service.

Vortex Drain Tiling LLC
741 Ashley Lane NE
Thompson, ND 58278

The U. S. Trustee will be served electronically at USTPRegion12.SX.ECF@usdoj.gov.

DATED this 13th day of March, 2018.

/s/ Forrest C. Allred

Forrest C. Allred
Chapter 7 Trustee
14 Second Ave SE, Suite 200
Aberdeen, SD 57401
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Fax: (605) 226-3371
forrest.allred@gmail.com